

REMARKS

The status of the claims is as follows:

Original: 1-8

Currently amended: 9 and 10

Previously presented: None

Canceled: None

Withdrawn: None

New: 12-16

Claims 1-16 be pending with entry of this amendment. The status listing above uses as the starting point the claims pending upon entry into the national phase of international application no. PCT/US03/19393. Claims 1 and 9 were amended during the international phase as shown in the Amended Sheets in the IPER in the international application, but claim 1 is referred to herein as "original" (i.e., it is identical to claim 1 as set forth in the Amended Sheets) and claim 9 is referred to as "presently amended" (i.e., the instant amendment shows the changes with respect to claim 9 as set forth in the Amended Sheets).

Amendments

Claim 9 has been amended herein to restore the recitation removed during the international phase. Claim 9 as presented in this amendment is identical to claim 9 as originally filed in the PCT application.

Claim 10 has been amended to add the phrase "selected from the group consisting of" in order to more clearly denote it is a Markush claim.

Claims 12-16 are new. Method claims 12-15 correspond to compound claims 2-5. Claim 16 is a method claim directed specifically to the administration of the compound of Example 19.

None of the foregoing amendments introduces new matter.

Restriction Requirement

The Examiner has required restriction under 35 U.S.C. § 121 to one of Groups I and II listed on page 2 of the Office Action. Group II is hereby elected with traverse. The Examiner has also required an election of species. The compound of Example 19 is elected; i.e., 2-(aminomethyl)-3,5-di-tert-butylphenol.

The requirement is traversed, because there is no serious burden in conducting a search and examination of Group I and Group II in the same application. Any reasonably comprehensive search for information on the aminoalkylphenols of Group I would retrieve information on therapeutic uses of the aminoalkylphenols and thus be relevant to Group II and

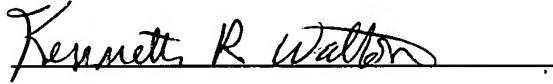
## AMENDMENT &amp; RESPONSE TO RESTRICTION REQUIREMENT

vice versa. In particular, both Groups clearly require compound searches. There would be so much overlap in the searches that it would be far more efficient to conduct a single search in this application than to conduct substantially overlapping searches in 2 separate applications. There is no undue burden.

Withdrawal of the restriction requirement is requested.

Respectfully submitted,

By:

  
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Date: September 6, 2007